In claims 80-82 first line, please delete "64" and insert therefore --63--.

REMARKS

Applicants respectfully request reconsideration of the above-identified patent application in view of the foregoing amendments and following remarks. Claim 63 was amended to incorporate the limitations from claim 64, which was canceled to avoid redundancy. Claim 63 was further amended to clarify the claim to indicate that the individual to be treated must first have the condition to be treated and that the MIF gene expression is specifically inhibited and not by a general gene expression inhibitor. Dependent claims 80-82 were amended to indicate proper dependency in view of the amendment to claim 63. No new matter has been added. Entry of the foregoing amendment is respectfully requested. Claims 63, 80-82 and 84-90 are pending.

35 U.S.C. §112 Rejections

Claims 63 and 84-90 were rejected under 35 U.S.C. §112 first paragraph as the disclosure is limited to those MIF gene expression inhibitors listed in claim 64. Applicants submit that the foregoing amendment to claim 63 obviates this rejection. It should be noted that claim 63 (and canceled claim 64) do not cite antibodies as MIF gene expression inhibitors. It should further be noted that anti-MIF antibodies are the subject of related patent applications.

Claims 63, 64, 80-82 and 84-90 were rejected under 35 U.S.C. §112 second paragraph as indefinite for a couple of reasons listed on page 3 of the Office Action. Applicants submit that the foregoing amendment obviates this rejection.

Specifically, claim 63 was alleged to be indefinite by citing an "individual" without the selection criteria. The Examiner noted that the selection criteria were implied, but not expressly stated in the body of claim 63. Applicants amended claim 63 to expressly state the selection criterion for an individual.

The Examiner also noted that the selection criteria for an agent did "not include any limitation directed to what is not inhibited." Applicants submit that the amendment to claim 63 provides selection criteria from the list of claim 64. However, applicants are unable to provide a negative limitation. Thus, only specific MIF gene expression inhibitors are indicated as agents and not non-specific gene expression inhibitors. Applicants submit that the foregoing amendment to claim 63 effectively includes only specific MIF gene expression inhibitors and claim 63, as amended, does not include generic (*i.e.*, any gene) expression inhibitors. Applicants respectfully request withdrawal of this rejection in view of the foregoing amendment.

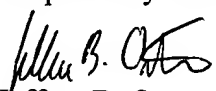
35 U.S.C. §103 Rejection

Claims 63 and 84-90 were rejected under 35 U.S.C. §103 as unpatentable over pages 54-57 of *Principles of Drug Action*. The rejection is based upon an interpretation of claim 63 to include generic (*i.e.*, any gene) gene expression inhibitors and a disclosure of the mechanism of action of the antibiotic antinomycin D to inhibit cellular gene expression in general. Applicants submit that the amendment to claim 63 obviates this rejection.

Claim 63 was amended such that only specific inhibitors of MIF gene expression are included within the "agent" element of the claim. The reference describes the mechanism of action of the antibiotic antinomycin D as effecting a general block of transcription in mammalian as well as bacterial cells. However, blocking transcription in general does not suggest the therapeutic benefits of a specific block of MIF gene expression. Accordingly, the presently claimed invention is patentable over the *Principles of Drug Action* reference. Withdrawal of this rejection is respectfully requested.

In view of the foregoing remarks, applicants respectfully request withdrawal of the rejections, completion of the examination and allowance of pending claims 63, 80-82 and 84-90.

Respectfully submitted,



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